

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BEVERLY CARTER,

Plaintiff,

v.

No. 2:19-cv-00266-JCH-KRS

NORTH AMERICAN GOLD BUREAU, LLC,

Defendant.

ORDER GRANTING MOTION TO AMEND COMPLAINT

THIS MATTER comes before the Court on Plaintiff's motion to amend her complaint. (Doc. 13). According to the motion, concurrence was sought in relief requested, but Defendant did not respond. To date, Defendant has not filed an opposition to the motion, and the deadline for doing so has expired. *See* D.N.M.LR-Civ-7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Under D.N.M.LR-Civ. 7.1(b), the failure to file "a response . . . to a motion within the time prescribed for doing so constitutes consent to grant the motion." The Court has reviewed the motion and the proposed complaint attached thereto. Considering Defendant's consent and Federal Rule of Civil Procedure 15's liberal policy on amendment, *see Ritchie v. Lockheed Martin Corp.*, 558 F.3d 1161, 1166 (10th Cir. 2009), the Court concludes that leave to amend is appropriate here.

IT IS, THEREFORE, ORDERED that Plaintiff's motion to amend (Doc. 13) is **GRANTED**. Plaintiff shall file the amended complaint as a separate docket entry on or before **August 19, 2019**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE